

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Huntington Union Free School District)	File No. SLD- 267957
Huntington, New York)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: February 20, 2002

Released: February 21, 2002

By the Accounting Policy Division, Common Carrier Bureau:

1. This Order dismisses the Request for Review filed by Huntington Union Free School District (Huntington), Huntington, New York.¹ Huntington seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator) on July 23, 2001.² The Commission received Huntington's Request for Review on November 27, 2001.³ For requests seeking review of decisions issued before August 13, 2001, under section 54.720(b) of the Commission's rules, any such appeal must be filed with the

¹ Letter from Rosanne Sweeney, A+ Technology Solutions, Inc., to Federal Communications Commission, filed November 27, 2001 (Request for Review).

² See Request for Review; Letter from the School and Libraries Division, Universal Service Administrative Company, to Andrea Katz, Huntington Union Free School District, dated July 23, 2001 (Funding Commitment Decision Letter). Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ See Request for Review. Huntington asserts that it submitted a timely appeal to the Administrator, and provides a copy of a letter dated July 25, 2001 that appears to be an appeal of SLD's initial decision letter addressed to the Administrator. Based on our review of the record, however, there is no indication that such an appeal was filed with the Administrator. The proffered copy of the July 25, 2001 letter, without more, is insufficient to demonstrate that an appeal was timely filed with the Administrator. See *Request for Review of the Decision of the Universal Service Administrator by Pediatric Library of Rainbow Babies and Children's Hospital, Cleveland, Ohio, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-23380, CC Dockets No. 96-45 and 97-21, Order, 15 FCC Rcd 3416 (Com. Car. Bur. 1999). We note that, in certain situations, we would consider a date-stamped postal return receipt to be persuasive evidence that a communication had in fact been received by the Administrator.

Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed.⁴ Documents are considered to be filed with the Commission only upon receipt.⁵ The 30-day deadline contained in section 54.720(b) of the Commission's rules applies to all such requests for review filed by a party affected by a decision issued by the Administrator.⁶ Because the instant Request for Review was not filed within the requisite 30-day period, it will be dismissed without further consideration.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed November 27, 2001, by Huntington Union Free School District, Huntington, New York, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

⁴ 47 C.F.R. § 54.720(b).

⁵ 47 C.F.R. § 1.7.

⁶ We note that, due to recent disruptions in the reliability of the mail service, the 30-day appeal period has been extended by an additional 30 days for requests seeking review of decisions issued on or after August 13, 2001. *See Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, FCC 01-376 (rel. Dec. 26, 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel. Dec. 28, 2001) and (Com. Car. Bur. rel. Jan. 4, 2002). Because the July 23, 2001 Funding Commitment Decision Letter was issued before August 13, 2001, the extended appeal period does not apply to Huntington.